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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

TRADITIONAL MEDICINALS, INC.)
Opposer,)
v.)
HEARTLAND BREWERY, INC.)
Applicant.)

Opposition No. 91159010
OPPOSER'S NOTICE OF
RELIANCE

TTAB

Opposer, TRADITIONAL MEDICINALS, INC., pursuant to Rule 704.03(b)(1)(B) of the Rules of Procedure of the TTAB, submits copies of the following registrations from the official USPTO TESS website:

1. Registration 2507279, KISSING DOLPHINS
2. Registration 1966330, PRIVATE SELECTION
3. Registration 2656744, SOUTH BEACH
4. Registration 2240995, SANZHOU
5. Registration 2471817, COOL MAX
6. Registration 2535175, PUREHARVEST
7. Registration 2601490, AIOLI
8. Registration 2556914, WORLD MARKET
9. Registration 2780935, DO&CO
10. Registration 2764973, FORNI & FATTORIE
11. Registration 2708666, SWEET GARDEN

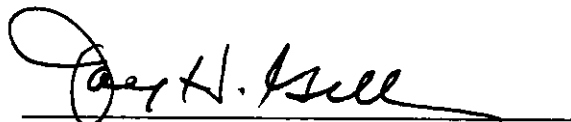
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12. Registration 2776133, ESPERYA

Dated: October 6, 2004

Respectfully submitted,



Jay H. Geller
Jay H. Geller, a Professional
Corporation
West Tower, Suite 4000
2425 West Olympic Boulevard
Santa Monica, CA 90404
Attorney for Opposer
Telephone: 310-449-1399

PROOF OF SERVICE

STATE OF CALIFORNIA)
)
COUNTY OF LOS ANGELES)

I am employed in the county of Los Angeles, State of California. I am over the age of 18 and not a party of the within action; my business address is West Tower, Suite 4000, 2425 West Olympic Boulevard, Santa Monica, CA 90404.

On October 6, 2004, I served the foregoing document described as Notice of Trial Testimony Deposition on Applicant in this action by placing a copy in a sealed envelope addressed to:

Mr. Marc A. Lieberstein
Ostrolenk, Faber, Gerb & Soffen, LLP
1180 Avenue of the Americas
New York, NY 10036-8403

I caused such envelope with postage thereon fully prepaid to be deposited in the United States mail at Santa Monica, CA.

Executed on October 6, 2004 at Santa Monica, CA.


Jay H. Geller



UNITED STATES PATENT AND TRADEMARK OFFICE

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Goods and Services IC 030. US 046. G & S: barley (husked), biscuits, bread, cakes, Japanese-style candy (except candy containing chocolate or chocolate flavoring), caramel, celery salt, chewing gum, coffee, coffee (unroasted), cookies of all types, cooking salt, flour for food, gluten for food, honey, ice cream, ketchup, maltose, mayonnaise, meat pies, noodles, pastries, pies, pizza, popcorn (popped), ravioli, rice, salad dressings, sandwiches, sauces, seasonings, sherberts, spices, sugar, sushi, tea, vinegar, soy sauce. FIRST USE: 20010228. FIRST USE IN COMMERCE: 20010228

IC 032. US 045 046 048. G & S: aerated water, beer, fruit juices, ginger ale, lemonades, mineral water, tomato juice (beverages), vegetable juices (beverages). FIRST USE: 20010228. FIRST USE IN COMMERCE: 20010228

Mark Drawing Code (1) TYPED DRAWING

Serial Number 74571652

Filing Date September 9, 1994

Current Filing Basis 1A

Original Filing Basis 1B

Published for Opposition April 9, 1996

Number 2507279
Registration Date November 13, 2001
Owner (REGISTRANT) Bond & Co. LTD. CORPORATION JAPAN 1-4, Shimagami-cho 1-chome Hyogo-ku Kobe JAPAN
Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record John T. Miller
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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